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MAG: 2019R00195

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2019 MAY -7 PM 3:50
IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
AT BALTIMORE

UNITED STATES OF AMERICA BY DEPUTY *

v.

RAHEEM BENJAMIN,
a/k/a "Ra,"
TYRONE MILTON GHOLSTON,
DARYL HART,
a/k/a "Love,"
JOSHUA JOHNSON,
a/k/a "John Wayne,"
a/k/a "Terry Jackson,"
ELLISON MCCREA,
RAYNARD MINTER,
MORRANDA PHIMPISANE, and
APRIL WILKES,

Defendants *

CRIMINAL NO. GLR-19-0128

* (Conspiracy to Distribute and Possess
with the Intent to Distribute Controlled
Dangerous Substances, 21 U.S.C. § 846;
Possession with Intent to Distribute
Controlled Dangerous Substances, 21
U.S.C. § 841(a); Felon in Possession of a
Firearm, 18 U.S.C. § 922(g); Possession
of a Firearm in Furtherance of a Drug
Trafficking Crime, 18 U.S.C. § 924(c);
Maintaining Drug-Involved Premises,
21 U.S.C. § 856; Aiding and Abetting, 18
U.S.C. § 2; Forfeiture, 21 U.S.C. § 853)

SUPERSEDING INDICTMENT

COUNT ONE

(Conspiracy to Distribute and Possess with Intent to Distribute
Controlled Dangerous Substances)

The Grand Jury for the District of Maryland charges:

From a time unknown to the Grand Jury, but no later than in or about February 2018, and continuing through on or about the filing of this Superseding Indictment, in the District of Maryland and elsewhere, the defendants,

RAHEEM BENJAMIN,
TYRONE MILTON GHOLSTON,
DARYL HART,
JOSHUA JOHNSON,
ELLISON MCCREA,
RAYNARD MINTER,
MORRANDA PHIMPISANE, and
APRIL WILKES,

did knowingly and willfully combine, conspire, confederate, and agree with others known and unknown to the Grand Jury to distribute and possess with intent to distribute 400 grams or more of a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance; a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance; and a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 846

21 U.S.C. § 841(a)(1)

21 U.S.C. § 841(b)(1)(A)

18 U.S.C. § 2

COUNT TWO
(Possession of a Firearm and Ammunition by a Prohibited Person)

The Grand Jury for the District of Maryland further charges that:

On or about October 17, 2018, in the District of Maryland, the defendant,

RAHEEM BENJAMIN,

having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting interstate commerce a firearm and ammunition, that is, a RG model RG14 revolver bearing serial number 380062 and six (6) .22 caliber cartridges.

18 U.S.C. § 922(g)(1)

COUNT THREE
(Possession of a Firearm in Furtherance of a Drug Trafficking Crime)

The Grand Jury for the District of Maryland further charges that:

On or about October 17, 2018, in the District of Maryland, the defendant,

RAHEEM BENJAMIN,

did knowingly possess a firearm in furtherance of a drug trafficking crime for which he may be prosecuted in a court of the United States, to wit: Conspiracy to Distribute and Possess with Intent to Distribute a Controlled Substance, in violation of 21 U.S.C. § 846, as alleged in Count One of this Superseding Indictment.

18 U.S.C. § 924(c)(1)(A)

COUNT FOUR
(Maintaining Drug-Involved Premises)

The Grand Jury for the District of Maryland further charges that:

Between at least in or about August 2018 and December 2018, in the District of Maryland,
the defendant,

TYRONE MILTON GHOLSTON,

did knowingly manage and control a place at 11 Cobblestone Court, Apartment #2B, Baltimore,
Maryland 21215, as lessee and occupant, and did knowingly and intentionally make said place
available for use, for the purpose of unlawfully manufacturing, storing, and distributing a
controlled substance.

21 U.S.C. § 856(a)

18 U.S.C. § 2

COUNT FIVE

(Possession with Intent to Distribute Controlled Dangerous Substances)

The Grand Jury for the District of Maryland further charges that:

On or about December 12, 2018, in the District of Maryland, the defendant,

DARYL HART,

did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance; and a mixture or substance containing a detectible amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)
18 U.S.C. § 2

COUNT SIX

(Possession with Intent to Distribute Controlled Dangerous Substances)

The Grand Jury for the District of Maryland further charges that:

On or about October 3, 2018, in the District of Maryland, the defendant,

JOSHUA JOHNSON,

did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance.

21 U.S.C. § 841(a)(1)
18 U.S.C. § 2

COUNT SEVEN

(Possession with Intent to Distribute Controlled Dangerous Substances)

The Grand Jury for the District of Maryland further charges that:

On or about December 5, 2018, in the District of Maryland, the defendants,

**RAYNARD MINTER, and
MORRANDA PHIMPISANE**

did knowingly and intentionally possess with intent to distribute a mixture or substance containing a detectable amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide, also known as fentanyl, a Schedule II controlled substance; and a mixture or substance containing a detectible amount of heroin, a Schedule I controlled substance.

21 U.S.C. § 841(a)(1)

18 U.S.C. § 2

FORFEITURE

The Grand Jury for the District of Maryland further charges:

1. Pursuant to Fed. R. Crim. P. 32.2 and Title 21, United States Code, Section 853, upon conviction of one or more of the controlled substance offenses alleged in Count One of this Superseding Indictment, the defendants,

**RAHEEM BENJAMIN,
TYRONE MILTON GHOLSTON,
DARYL HART,
JOSHUA JOHNSON.
ELLISON MCCREA,
RAYNARD MINTER,
MORRANDA PHIMPISANE, and
APRIL WILKES,**

shall forfeit to the United States of America:

a. any property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of such violation; and,

b. any property used, or intended to be used, in any manner or part, to commit, or facilitate the commission of, such violation.

2. The property to be forfeited includes, but is not limited to, the following:

c. At least \$8,793.50, in that such sum in aggregate was furnished or intended to be furnished in exchange for controlled substances and constitutes proceeds traceable to such exchanges, and was used or intended to be used to facilitate a violation of the Controlled Substances Act.

3. Pursuant to Title 21, United States Code, Section 853(p), if any of the property described above as being subject to forfeiture, as a result of any act or omission by the defendants:

a. cannot be located upon the exercise of due diligence;

b. has been transferred or sold to, or deposited with, a third person;

- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been comingled with other property which cannot be subdivided without difficulty,

it is the intent of the United States to seek forfeiture of any other property of the defendants up to the value of the property charged with forfeiture in the paragraphs above, which amount is no less than \$8,793.50.

4. Pursuant to Rule 32.2, Fed. R. Crim. P., notice is hereby given that the United States will also seek forfeiture as part of any sentence in accordance with Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c), as a result of the defendant's conviction under Count Two of the Superseding Indictment.

5. More specifically, as a result of the offense alleged in Count Two of this Superseding Indictment, the defendant,

RAHEEM BENJAMIN,

shall forfeit to the United States the firearm and ammunition involved in the commission of the offense, a RG model RG14 revolver bearing serial number 380062 and six (6) .22 caliber cartridges.

18 U.S.C. § 924(d)
21 U.S.C. § 853
28 U.S.C. § 2461(c)
Rule 32.2(a), Fed. R. Crim. P.

Robert K. Hur / Moc
Robert K. Hur
United States Attorney

A TRUE BILL:

SIGNATURE REDACTED

Foreperson

Dated: 5.7.19 2019